

# PINKHAM'S IDEAS OF VALUES HAVE CHANGED MUCH AS YEARS PASS

When Trying To Sell Tram Franchise He Said It Was Worth \$400,000. Because It Would Be More Valuable In Time

NOW THINKS IT WORTH ABSOLUTELY NOTHING

Letter To Executive From 'Public Benefactor' Advised Privacy In Negotiations Lest 'Our Fat Will Be In The Fire'

Some interesting correspondence, being letters written by and to Governor Pinkham, some sixteen years ago, were introduced yesterday afternoon as evidence in the case of the Territory against the Rapid Transit Company, being heard in Judge Stuart's court. The copies were acknowledged by the Governor as correct transcriptions, the Executive thus obviating the necessity of appearing on the stand as a witness.

When the case was called in the morning, the attorneys for the government asked for some time in which to consult the Governor, a request which Judge Stuart agreed to with the proviso that a subpoena be issued without waiting, in order that the Governor could either be on hand to take the stand or could have the acceptance of the text of the copies in court by two o'clock.

**Value Of Franchise**  
Regarding the franchise, which the Governor says is now worth nothing, he wrote in 1899: "At present \$400,000 is a large price for a franchise, but in ten years it will be well worth it."

The Governor then also urged the purchase of the Rapid Transit Company as it was more liberal in its terms than the one granted the Rapid Transit Company.

An interesting little expression occurs in a letter written by Mr. Beardslee, who was in Honolulu then as Hawaiian agent of The Realty Syndicate, a Coast corporation, to whom the Governor referred in his letter to Mr. Thurston as "a gentleman who is more able than myself" and as one who "will prove a public benefactor."

In his (Beardslee's) letter to Mr. Pinkham, a copy of which came into the possession of the Rapid Transit Company and which is interesting reading in connection with Mr. Pinkham's own letter, Mr. Beardslee wrote to Mr. Pinkham:

"One more suggestion, in your communication to Mr. Thurston, urge a PRIVATE interview. He might convene the board of the new company to talk over the proposition, and then our fat would be in the fire."

The letters filed yesterday also contained a copy of a letter to Governor Pinkham from Thompson-Houston International Electric Company of Boston, in which an estimate on electrical supplies necessary for the installation of a trolley system was furnished, the letter stating that if Mr. Pinkham could land the order there would be a nice little commission of \$5,266 in it for him. The estimate was on an order totaling \$52,666.

**PINKHAM TO THURSTON**  
The letter of the then Mr. Pinkham to Mr. Thurston ran:

Honolulu, H. I., April 4th, 1899.  
My dear Sir: Relative to the street railway problem in and for the city of Honolulu, there are four facts that must be accepted without argument.

1st: Experience has proven that the public can be best served by systems belonging to a single control.

2nd: That the main thoroughfare must be the ones provided with street railway facilities.

3rd: That a franchise has a value if it controls the main thoroughfare, and such value increases as the city enlarges, and frequently what may seem excessive valuation in a few years proves conservative.

**Helpful Third Party**  
4th: In case of disagreement, especially where passionate feeling exists, the substitution of a third element may remove the friction and bring about a settlement conducive to public benefit and progress, and financial benefit to the disagreeing parties, who in the heat of willfulness or resentment jeopardize their own money and the public's welfare.

That all these untoward elements exist in Honolulu, can not be denied. Being greatly impressed with the misfortune of it, I have taken the wisest steps I could think of and brought about the personal efforts of a gentleman far more able than myself.

The 1st and 2nd statements need no argument.

For the third, let us argue the case. The Hawaiian Tram Co. has undoubted rights to the main thoroughfare of Honolulu; the owners have great wealth; while you may limit their facilities, you cannot drive them from their streets. An attempt, even, might bring about an international question.

In case of bitter content, who suffers? Then, both the old and new companies, but particularly, many times over, the general public and property.

**Crows More Valuable**  
Let us get down to figures—The Hawaiian Tram Co. had \$150,000.00 in 6% bonds. If they were to be better secured, could not these bondholders, like the bondholders of the great Amer-

ican trunk lines, afford to accept a lower rate bond, say 4%? The stock of the Tram Co. is \$300,000.00 and earns 2 and 25/100%. Could they not afford to scale this amount down to \$250,000.00 or even less, first mortgage bonds and for a term of 10 years accept 2% per annum on them and thereafter 4%? All this rather than increase their investment with a probability of earning little or nothing on old or new.

At present \$400,000.00 is a large price for a franchise, but in ten years it will be well worth it.

Could not a new company stand an annual interest charge of \$13,000.00 rather than be forced to side streets, division of traffic and a costly fight? Disaster will follow the winning of such a contest, for the new company will be located on side streets and must there remain or tear up and remove at great expense.

The suggestions would seem worthy of consideration.

The adjustment of such a bonded indebtedness at a low rate and construction bonds at a higher rate can be easily accomplished.

For the fourth item, I note: The Charter of the Rapid Transit Co. has some limitations as to profits not applicable to a growing city, which the old Charter would void.

Other matters of great importance to the city seem to have been decidedly overlooked. The question is on the part of the Hawaiian Tram Company's franchise.

I doubt if the officials of either company could together discuss such a proposition, but I have hopes that common sense and the welfare of the public may prevail, and to the ultimate profit of a Transit Company that will properly cover the streets of Honolulu.

If the ground of this communication meets with your approval, I request an interview for my friend whom I have induced to undertake this matter and who has so far accomplished much more than I even hoped. He has my hearty thanks, and will prove a public benefactor if he brings this controversy to a successful termination.

Yours truly,  
P. S. It is possible the basis suggested may be open to criticism, but it is something from which to start. Moreover, these people having large wealth might increase their investment.

**BEARDSLEE TO PINKHAM**  
The letter from Mr. Beardslee to Mr. Pinkham, which refers to the communication above, and which throws considerable light in a number of dark corners, says:

Honolulu, H. I., April 5th, 1899.  
L. E. Pinkham, Esq.,

Dear Sir: Yours of today, is well received, to the point, and highly complimentary to "Yours Truly" for which I tender thanks, the while entering a modest disclaimer, but, it is wise to put this proposition before Mr. Thurston on a lower basis, than it will be possible to carry it through on! My judgment says, No! It is easy enough to come down from an estimate and very hard to raise figures, after a person once gets them fixed in his mind and unless you want to render my work impossible, I should advise certain changes in the figures given, before it is handed to Mr. Thurston for his consideration.

1st. The holders of the \$150,000, 6% Bonds, could not be "made more secure" than they are today, the franchise and rolling stock of the Co. could be sold, under the hammer, for more than that, any day, so what is the argument could be used to make them accept 4% Bonds? None! So let us consider that item fixed and estimate the interest of present Bonds at \$9,000 per annum.

2nd. The earnings of the Tram Co. are 2 1/2 to 3% instead of 2 to 2 1/2% and I am satisfied that any attempt to "scale down" the \$300,000 valuation of their stock would only result in a prompt closing of all negotiations. We might hold them to 2 1/2% interest on the unpaid balance by making a cash payment of say \$100,000 the return of a portion of which could be secured by the sale of the present equipment of the Tram Co. on this basis it would mean the payment of \$5,000 more interest per annum, making \$14,000 instead of \$9,000, on these lines it would stand a fair chance of being carried through.

One more suggestion, in your communication to Mr. Thurston, urge a PRIVATE interview, he might convene the Board of the New Co. to talk over the proposition, in which case something would be certain to leak out, and then our fat would be in the fire.

The letters filed yesterday also contained a copy of a letter to Governor Pinkham from Thompson-Houston International Electric Company of Boston, in which an estimate on electrical supplies necessary for the installation of a trolley system was furnished, the letter stating that if Mr. Pinkham could land the order there would be a nice little commission of \$5,266 in it for him. The estimate was on an order totaling \$52,666.

**PINKHAM TO THURSTON**  
The letter of the then Mr. Pinkham to Mr. Thurston ran:

Honolulu, H. I., April 4th, 1899.  
My dear Sir: Relative to the street railway problem in and for the city of Honolulu, there are four facts that must be accepted without argument.

1st: Experience has proven that the public can be best served by systems belonging to a single control.

2nd: That the main thoroughfare must be the ones provided with street railway facilities.

3rd: That a franchise has a value if it controls the main thoroughfare, and such value increases as the city enlarges, and frequently what may seem excessive valuation in a few years proves conservative.

**Helpful Third Party**  
4th: In case of disagreement, especially where passionate feeling exists, the substitution of a third element may remove the friction and bring about a settlement conducive to public benefit and progress, and financial benefit to the disagreeing parties, who in the heat of willfulness or resentment jeopardize their own money and the public's welfare.

That all these untoward elements exist in Honolulu, can not be denied. Being greatly impressed with the misfortune of it, I have taken the wisest steps I could think of and brought about the personal efforts of a gentleman far more able than myself.

The 1st and 2nd statements need no argument.

For the third, let us argue the case. The Hawaiian Tram Co. has undoubted rights to the main thoroughfare of Honolulu; the owners have great wealth; while you may limit their facilities, you cannot drive them from their streets. An attempt, even, might bring about an international question.

In case of bitter content, who suffers? Then, both the old and new companies, but particularly, many times over, the general public and property.

**Crows More Valuable**  
Let us get down to figures—The Hawaiian Tram Co. had \$150,000.00 in 6% bonds. If they were to be better secured, could not these bondholders, like the bondholders of the great Amer-

ican trunk lines, afford to accept a lower rate bond, say 4%? The stock of the Tram Co. is \$300,000.00 and earns 2 and 25/100%. Could they not afford to scale this amount down to \$250,000.00 or even less, first mortgage bonds and for a term of 10 years accept 2% per annum on them and thereafter 4%? All this rather than increase their investment with a probability of earning little or nothing on old or new.

At present \$400,000.00 is a large price for a franchise, but in ten years it will be well worth it.

Could not a new company stand an annual interest charge of \$13,000.00 rather than be forced to side streets, division of traffic and a costly fight? Disaster will follow the winning of such a contest, for the new company will be located on side streets and must there remain or tear up and remove at great expense.

The suggestions would seem worthy of consideration.

The adjustment of such a bonded indebtedness at a low rate and construction bonds at a higher rate can be easily accomplished.

For the fourth item, I note: The Charter of the Rapid Transit Co. has some limitations as to profits not applicable to a growing city, which the old Charter would void.

Other matters of great importance to the city seem to have been decidedly overlooked. The question is on the part of the Hawaiian Tram Company's franchise.

I doubt if the officials of either company could together discuss such a proposition, but I have hopes that common sense and the welfare of the public may prevail, and to the ultimate profit of a Transit Company that will properly cover the streets of Honolulu.

If the ground of this communication meets with your approval, I request an interview for my friend whom I have induced to undertake this matter and who has so far accomplished much more than I even hoped. He has my hearty thanks, and will prove a public benefactor if he brings this controversy to a successful termination.

Yours truly,  
P. S. It is possible the basis suggested may be open to criticism, but it is something from which to start. Moreover, these people having large wealth might increase their investment.

**BEARDSLEE TO PINKHAM**  
The letter from Mr. Beardslee to Mr. Pinkham, which refers to the communication above, and which throws considerable light in a number of dark corners, says:

Honolulu, H. I., April 5th, 1899.  
L. E. Pinkham, Esq.,

Dear Sir: Yours of today, is well received, to the point, and highly complimentary to "Yours Truly" for which I tender thanks, the while entering a modest disclaimer, but, it is wise to put this proposition before Mr. Thurston on a lower basis, than it will be possible to carry it through on! My judgment says, No! It is easy enough to come down from an estimate and very hard to raise figures, after a person once gets them fixed in his mind and unless you want to render my work impossible, I should advise certain changes in the figures given, before it is handed to Mr. Thurston for his consideration.

1st. The holders of the \$150,000, 6% Bonds, could not be "made more secure" than they are today, the franchise and rolling stock of the Co. could be sold, under the hammer, for more than that, any day, so what is the argument could be used to make them accept 4% Bonds? None! So let us consider that item fixed and estimate the interest of present Bonds at \$9,000 per annum.

2nd. The earnings of the Tram Co. are 2 1/2 to 3% instead of 2 to 2 1/2% and I am satisfied that any attempt to "scale down" the \$300,000 valuation of their stock would only result in a prompt closing of all negotiations. We might hold them to 2 1/2% interest on the unpaid balance by making a cash payment of say \$100,000 the return of a portion of which could be secured by the sale of the present equipment of the Tram Co. on this basis it would mean the payment of \$5,000 more interest per annum, making \$14,000 instead of \$9,000, on these lines it would stand a fair chance of being carried through.

One more suggestion, in your communication to Mr. Thurston, urge a PRIVATE interview, he might convene the Board of the New Co. to talk over the proposition, in which case something would be certain to leak out, and then our fat would be in the fire.

The letters filed yesterday also contained a copy of a letter to Governor Pinkham from Thompson-Houston International Electric Company of Boston, in which an estimate on electrical supplies necessary for the installation of a trolley system was furnished, the letter stating that if Mr. Pinkham could land the order there would be a nice little commission of \$5,266 in it for him. The estimate was on an order totaling \$52,666.

**PINKHAM TO THURSTON**  
The letter of the then Mr. Pinkham to Mr. Thurston ran:

Honolulu, H. I., April 4th, 1899.  
My dear Sir: Relative to the street railway problem in and for the city of Honolulu, there are four facts that must be accepted without argument.

1st: Experience has proven that the public can be best served by systems belonging to a single control.

2nd: That the main thoroughfare must be the ones provided with street railway facilities.

3rd: That a franchise has a value if it controls the main thoroughfare, and such value increases as the city enlarges, and frequently what may seem excessive valuation in a few years proves conservative.

**Helpful Third Party**  
4th: In case of disagreement, especially where passionate feeling exists, the substitution of a third element may remove the friction and bring about a settlement conducive to public benefit and progress, and financial benefit to the disagreeing parties, who in the heat of willfulness or resentment jeopardize their own money and the public's welfare.

That all these untoward elements exist in Honolulu, can not be denied. Being greatly impressed with the misfortune of it, I have taken the wisest steps I could think of and brought about the personal efforts of a gentleman far more able than myself.

# JUDGE DOLE PAU SO FAR AS KNOWN BY FRIENDS HERE

Term As Federal Jurist Ended Automatically At Midnight With Washington Silent

INQUIRY HE MADE GETS NO REPLY FROM CAPITAL

Mr. Holmes of Bar Association Advises Congress May Pension Venerable Official

At twelve o'clock last night Hon. Sanford B. Dole ceased to be a judge of the United States district court for Hawaii, so far as is known here.

Although Judge Dole cabled on Wednesday to Attorney General Gregory, asking that official if he could inform him whether the President intended to ask him to serve for another term, no reply was received from Washington.

"Tomorrow my term of office terminates. Neither the statute nor my commission provides for continuance until a successor is appointed or otherwise. Can you inform me whether the President intends to ask me to serve for another term?"

Judge Dole's second six-year term of office was made to expire on December 16—yesterday. At midnight it expired and Judge Dole automatically ceased to be a federal judge. So far as is known in Honolulu, Judge Charles F. Clemons is now the only federal judge in office in Hawaii.

"Have you had a reply from Washington, Judge?" the veteran jurist was asked late last night.

"No, nothing whatever," Judge Dole replied.

**Two Decisions Handed Down**  
Judge Dole's last day in office was signalized by his handing down decisions in two admiralty cases.

In the case of the *Inter Island Steam Navigation Company* against the *American ship Halevion*, an action for salvage at Hilo, Judge Dole gave judgment in favor of the local company for \$2850, with costs of court and interest. He dismissed the damage suit of Frank Sullivan against the *American ship Edward M. Sewall*, this being the case instituted by "the millionaire tamps," three years and a half ago.

Judge Dole was asked yesterday if he would hand down a decision in the matter of the application of Takao Ozawa, the clerk who seeks to be naturalized an American citizen.

"I can't," the jurist replied. "If I am not reappointed, I will not be allowed to decide any case previously heard by me. Such is the law. In the Ozawa case, which involves serious study and investigation of the laws dealing with naturalizations, I have been unable to find the necessary time to render a decision up till now."

He has been extremely busy with the criminal calendar of the court the past three months.

**Relief For Judge Dole**  
A cablegram received from Henry Holmes, president of the Bar Association of Hawaii, who is now in Washington, was referred to former Governor Walter F. Frear, vice president and acting president of the organization, yesterday.

The message says that the bill, which will be introduced in congress shortly by Senator O'Gorman of New York, providing for an amendment to the law which would allow full pay to federal judges on their retirement at the age of seventy years and after ten years of service on the bench, so that its provisions will apply to Hawaii and particularly to the case of Judge Dole, was being very favorably considered in Washington. Senator Overman of North Carolina is reported, according to the measure, to be backing the measure strongly.

It is the intention of the measure, as it is understood here, to make its proposed provision apply in the case of Judge Dole, even though at the time of its passage this jurist should be off the federal court bench.

Even with the hours lapsing on the final day of Judge Dole's second term, many of his friends yesterday were loath to believe that he would not be reappointed. It was argued that inasmuch as he had cabled to Attorney General Gregory in the tenor he did Judge Dole would have been advised immediately that he would not be reappointed were such to be his fate.

**'No News Is Good News'**  
"No news is good news," as the saying goes, and the fact that he was not advised yesterday by Washington that the President did not intend to reappoint him was taken as an augury that the local jurist's name was still under consideration by the powers that be.

Today should bring news on the judgeship situation from Washington, it is believed in well informed local legal circles.

Horace W. Vaughan, assistant district attorney, who, up to a few days ago, was said to have the certainty of appointment as successor to Judge Dole, was reported yesterday to be rather doubtful of his chances.

**UNNECESSARY WORDS.**  
Why waste words and advertising space in describing the many points of merit in Chamberlain's Cough Remedy? The most fastidious are satisfied when we state that it cures colds and coughs from any cause, and that it contains absolutely no narcotics or injurious substances. For sale by all dealers. Benson, Smith & Co., Ltd., agents for Hawaii.

# MUCH OPIUM SEIZED ON THE W. G. HALL

Marshal Smiddy Finds Quantity of Dope Consigned To Man In Kauai

More than \$700 worth of high-grade opium was seized by Marshal Smiddy aboard the *Inter Island Steam Navigation Company's* steamer *W. G. Hall* yesterday a few minutes before that packet left for Kauai ports. A number of arrests are expected but the marshal would not give out any names yesterday.

Acting on a tip received earlier in the day Marshal Smiddy made his way to the pier where the *Hall* was docked. He looked as if he was going on a short voyage and several friends shook hands with the official and bade him a good trip. A quarter of an hour before sailing time the official boarded the steamer. He sought H. Kaipo freight clerk of the packet, and from him secured permission to make a little investigation of his own in the hold of the vessel.

Kaipo accompanied the marshal and assisted him as crates, boxes, bags and packages of all descriptions were overhauled. The marshal then came across a small parcel which bore resemblance to a description given him. The package was opened and, to the astonishment of the freight clerk, it was found to contain five packages of opium and seven one-pound tins of Hong Kong No. 1 opium.

The contraband was seized by the marshal and lodged by him to his office, where it now reposes in perfect safety. Ere this the consignor will have been taken into custody, but the consignor will wait and whist while over in Kauai for the expected merchant line. The consignor was to receive the goods at Lihue, the goods to have been landed at Nawiliwili, the seaport of the Garden Island county seat.

"I am confident that at last we are sure who is the kingpin among the opium smugglers in Honolulu and I don't think he will escape this time," said the marshal said yesterday. "We have the goods on him, and if I am not much mistaken, he has a warm time coming his way at a not very distant date. We have had our suspicions of the man and he has been under watch for some time past."

**Special Counsel For Queen**  
While the trustees of the estate, Curtis P. Lauken William O. Smith and Samuel M. Damon, will oppose the action brought by Kuhio and be represented in court by their own counsel, Queen Liliuokalani has retained special counsel to appear for her.

Antonio Perry, former associate justice of the territorial supreme court, will represent the queen and for this purpose yesterday filed in the court of the clerk of the circuit court a notice of "appearance of attorney," which reads as follows:

"Now comes Antonio Perry, a member of the bar of this court, and says that he has been authorized and requested by Her Majesty, Liliuokalani, former Queen of Hawaii, to act for her as her attorney in the above entitled suit and in all matters in connection therewith; and he hereby enters this his appearance as such attorney."

**Judge Perry Non-Committal**  
When seen yesterday Judge Perry would not say anything further than that he would represent the queen in the trust breaking suit. It was not the proper time, he claimed, to make any statement for publication. The information that the queen would herself oppose the suit brought in her name was secured from a source which is considered authoritative.

The respondents, including the trustees, are many. A few days ago they were given, under a stipulation filed in court, until January 10, next, in which to answer, deny or plead to the complaint. The answer, which will be a voluminous one, is now in course of preparation, but it is expected that denials will be interposed. Some of the respondents, among the more prominent ones, are of the opinion that the suit will never go to trial and that, like a similar one instituted in 1910, the present action will be discontinued as soon as the queen behind the present movement become convinced that the queen is, in reality, opposed to having her trust deed set aside.

**Beneficiaries of Trust**  
Among the beneficiaries under the queen's trust deed are Curtis P. Lauken, the manager of the estate; John A. Dominis, the queen's adopted son; Nakaneolaha, Analo, Keliikahiki, Mrs. Kamaka von Oelhoffen, Nahenu, Haka, Haka and Kaula, his wife; Mary K. Kahale Puna, E. K. Mahoe, and Emilia, his wife; Aki, sister of Mahina Robinson; Mrs. Mary Ann, Mary, Paha, Mrs. Kulehu, George Napielua and George Kahilani, his son.

In his petition to set aside the queen's trust deed, Kuhio claims that Liliuokalani, who was seventy-seven years of age last September, is without sufficient issue and that by virtue of a royal proclamation of February 10, 1883, issued by "His Majesty Kalakaua, then King of the Hawaiian Islands, the said John Kuhio Kalaniana'ole was created a prince, with succession to the throne, and that since the death of his brother, Prince David Kawananakoa, on a second day of June, 1908, the said prince had been next in succession to said queen and the heir presumptive.

The trust deed which Kuhio would have broken by action of court was signed by Queen Liliuokalani on December 2, 1909, and Kuhio claims that, although at that time he was in Honolulu, he was kept away from the queen so that she could not consult with him as to the terms of the trust deed.

**TIMMONS IS NAMED POSTMASTER AT LIHUE**  
The nomination of L. D. Timmons to be postmaster at Lihue has gone to the senate. Timmons is a well known newspaper man, formerly associated with the local papers and is at present the editor of the Garden Island, of Lihue, Kauai.

The appointments of Arthur A. Lloyd to be postmaster at Lahaina and John G. Lewis as postmaster at Wai-pa-hu were confirmed. They will take office as soon as they qualify.

The news of the appointments came in via advices received yesterday from Washington.

**HAWAIIAN IS KILLED IN FALL FROM HORSE**  
A Kaula, a Hawaiian, seventy-two years of age, commonly known as John Ku, was instantly killed by a fall from a horse he was riding yesterday. He was employed as a ranch hand on the Waiwale ranch of D. P. R. Leong. The horse was brought to the main road and inquest will be held to determine the cause of death.

# LILOKALANI TO OPPOSE BREAKING HER TRUST DEED

Special Counsel Retained To Represent Queen In Action Filed By Kuhio

JUDGE PERRY ENTERS HIS APPEARANCE AS ATTORNEY

Probability Present Action, Like Former One, Will Be Discontinued In Short Time

Queen Liliuokalani will oppose the suit instituted in her name, in the circuit court here on November 30, last, by delegates J. K. Kalaniana'ole, as her next friend and in his name, to break the trust in which the queen's property is held. In other words, Queen Liliuokalani wishes the trust to continue.

This was learned yesterday definitely from an authoritative source and bears out abundantly statements which appeared in The Advertiser, following the filing of the suit, made by Curtis P. Lauken, one of the trustees of the queen's estate, and John Aimoku Dominis, that Hawaii's former ruler did not look with favor on the bill in the equity instituted by Kuhio supposedly in her behalf. It is a coincidence to be taken into consideration that Kuhio filed his action on the eve of leaving Honolulu for Washington.

**Special Counsel For Queen**  
While the trustees of the estate, Curtis P. Lauken William O. Smith and Samuel M. Damon, will oppose the action brought by Kuhio and be represented in court by their own counsel, Queen Liliuokalani has retained special counsel to appear for her.

Antonio Perry, former associate justice of the territorial supreme court, will represent the queen and for this purpose yesterday filed in the court of the clerk of the circuit court a notice of "appearance of attorney," which reads as follows:

"Now comes Antonio Perry, a member of the bar of this court, and says that he has been authorized and requested by Her Majesty, Liliuokalani, former Queen of Hawaii, to act for her as her attorney in the above entitled suit and in all matters in connection therewith; and he hereby enters this his appearance as such attorney."

**Judge Perry Non-Committal**  
When seen yesterday Judge Perry would not say anything further than that he would represent the queen in the trust breaking suit. It was not the proper time, he claimed, to make any statement for publication. The information that the queen would herself oppose the suit brought in her name was secured from a source which is considered authoritative.

The respondents, including the trustees, are many. A few days ago they were given, under a stipulation filed in court, until January 10, next, in which to answer, deny or plead to the complaint. The answer, which will be a voluminous one, is now in course of preparation, but it is expected that denials will be interposed. Some of the respondents, among the more prominent ones, are of the opinion that the suit will never go to trial and that, like a similar one instituted in 1910, the present action will be discontinued as soon as the queen behind the present movement become convinced that the queen is, in reality, opposed to having her trust deed set aside.

**Beneficiaries of Trust**  
Among the beneficiaries under the queen's trust deed are Curtis P. Lauken, the manager of the estate; John A. Dominis, the queen's adopted son; Nakaneolaha, Analo, Keliikahiki, Mrs. Kamaka von Oelhoffen, Nahenu, Haka, Haka and Kaula, his wife; Mary K. Kahale Puna, E. K. Mahoe, and Emilia, his wife; Aki, sister of Mahina Robinson; Mrs. Mary Ann, Mary, Paha, Mrs. Kulehu, George Napielua and George Kahilani, his son.

In his petition to set aside the queen's trust deed, Kuhio claims that Liliuokalani, who was seventy-seven years of age last September, is without sufficient issue and that by virtue of a royal proclamation of February 10, 1883, issued by "His Majesty Kalakaua, then King of the Hawaiian Islands, the said John Kuhio Kalaniana'ole was created a prince, with succession to the throne, and that since the death of his brother, Prince David Kawananakoa, on a second day of June, 1908, the said prince had been next in succession to said queen and the heir presumptive.

The trust deed which Kuhio would have broken by action of court was signed by Queen Liliuokalani on December 2, 1909, and Kuhio claims that, although at that time he was in Honolulu, he was kept away from the queen so that she could not consult with him as to the terms of the trust deed.

**TIMMONS IS NAMED POSTMASTER AT LIHUE**  
The nomination of L. D. Timmons to be postmaster at Lihue has gone to the senate. Timmons is a well known newspaper man, formerly associated with the local papers and is at present the editor of the